

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

NATHAN LING,

PLAINTIFF,

VS

CIVIL ACTION NO: 3:20-CV-233

CAMPBELL COUNTY, TENNESSEE;
JUSTIN CRABTREE; DAKOTA WILLIAMS;
SEAN BROWN; JOSHUA MILLER, in their
individual and official capacities;
and JOHN DOES, names and identities
not yet known,

DEFENDANTS.

PRETRIAL DISCOVERY DEPOSITION OF:

MICHAEL OWENS

TAKEN ON APRIL 25, 2023

* * * THIS STYLE PAGE IS CONTINUED * * *

APPEARANCES:

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1 laws, if anybody is impaired driving.

2 Q. Okay.

3 A. So, you know...

4 Q. Just to patrol?

5 A. Patrol and like I said, try to get
6 impaired drivers off the roadways.

7 Q. Okay. So when you got there, you said
8 you pulled in about the same time as EMS?

9 A. They pulled in right behind me.

10 Q. Okay. And so where was Nathan Ling at
11 the time you got there?

12 A. He was laying on the ground.

13 Q. Okay. Laying on the ground near what?

14 A. He was just in somebody's yard. He was,
15 the road kinda comes up a hill, and he was laying
16 down here in the yard, and the other officers were
17 surrounding him.

18 Q. Okay. And was he conscious?

19 A. I don't recall if he was conscious at
20 that time. I know by the time I made it down the
21 hill, he was yelling and screaming and kicking, and
22 the officers were surrounding him trying to control
23 him, but I don't, I don't recall. All I know is they
24 said at one point he was unconscious, but I don't
25 recall if he was, as soon as we pulled up, if he was

1 still unconscious or had just woke up. I don't know.

2 Q. So which officers were surrounding him?

3 A. I remember John Minor, and I believe
4 Dakota Williams may've been standing there, and I'm
5 not really sure. I don't recall.

6 Q. All right. So did you just pull up
7 behind or beside EMS and just stand and watch?

8 A. No. I walked down the hill, and he was
9 yelling and screaming, and I stood there, and they
10 was, he was trying to fight them. I mean, he was
11 kicking and yelling and screaming and head butting,
12 and they were trying to hold him down at that time.

13 Q. So how far away were you from him?

14 A. Probably a few feet.

15 Q. Okay. And so tell me, tell me what all
16 transpired.

17 A. He just kept on, and they was trying to
18 hold him down, and he kept kicking them. I know EMS
19 walked up. I can't remember what they said,
20 basically I guess if they could -- they couldn't do
21 nothing with him as long as he was like that. So we
22 ended up getting him, or they ended up getting him up
23 off the ground, and I think that's when they took him
24 up to the car. You'll have to forgive me. I don't
25 have a great memory. I, my memory left after going

1 through chemo back in my mid-20s, and I've not had a
2 great memory since then.

3 Q. All right. Let me show you, if I could,
4 this is what we've previously marked as Exhibit
5 Number 6, okay? And what this is is an aerial
6 photograph...

7 A. Yes, Sir.

8 Q. ...of where other officers have
9 identified where Mr. Ling was parked at the check
10 mark.

11 Q. Yes, Sir.

12 A. And where he ran to as the star. Does
13 that refresh your memory at all?

14 A. I remember his car parked up here.

15 Q. Okay.

16 A. But I was, I don't really recall, but it
17 seemed like they said he ran down through here, down
18 to this way.

19 Q. Uh-huh.

20 A. So I think he, they said he ran past
21 here, but when I got here, he was laying about right
22 here in this yard.

23 Q. Okay. So you're, you're pointing to the
24 front of that yard where the star is?

25 A. This right around here, yes.

1 Q. Okay.

2 A. And it's kinda...

3 Q. On down the road?

4 A. Yeah. It was kinda like right in here.

5 It wasn't directly in front of the house, I don't
6 believe.

7 Q. Uh-huh.

8 A. I think it was more between -- I think
9 there's a house here.

10 Q. Okay.

11 A. I think it was more right in here.

12 Q. So where were you parked?

13 A. Right along here somewhere.

14 Q. Okay.

15 A. And the ambulance was directly behind me.

16 Q. How long were you there on the scene
17 before they took Mr. Ling to the jail, do you think?

18 A. I, I, it wasn't long. I wouldn't say
19 more than probably five minutes. It wasn't a long
20 period of time.

21 Q. Okay. And at the time that you saw him
22 laying on the ground, was he handcuffed behind his
23 back?

24 A. I believe he was.

25 Q. Okay. And during that time you said that

1 you saw officers fighting with him?

2 A. Yes, Sir.

3 Q. Did you see any of them hit him with
4 their fists?

5 A. No, Sir.

6 Q. You never saw that?

7 A. No, Sir.

8 Q. If you had seen that, would you have
9 stopped that?

10 A. Yes, Sir.

11 Q. You were a supervisor, right?

12 A. Yes, Sir.

13 Q. All right. And you were, you were the
14 sergeant to Justin Crabtree?

15 A. On normal patrol duties, yes, Sir.

16 Q. Okay.

17 A. That night I was not, but yeah.

18 Q. All right. And so as a supervisor, you
19 had a responsibility to make certain that your
20 officers underneath you were not using excessive
21 force?

22 A. Yes, Sir.

23 Q. It was absolutely your responsibility to
24 stop that if that's going on with an officer?

25 A. Yes, Sir.

1 Q. All right. So you never felt that Mr.
2 Ling was abused in any way on that scene, right?

3 A. No, Sir.

4 Q. All right, Sir. Let me borrow that back
5 if you don't mind.

6 A. Yes, Sir.

7 Q. If I don't put it back, I'll never find
8 it again. And so you were there about five minutes.
9 And which officer transported him? Do you recall?

10 A. I do not recall. I remember they put him
11 in the car, and he started kicking on the windows,
12 and I remember telling somebody hurry up and get his
13 ass to the jail...

14 Q. Uh-huh.

15 A. ...before he kicks a window out. And I
16 recall of them saying, this ain't my car, and I told
17 them, I didn't care whose car it was, just get in it
18 and get him to the jail.

19 Q. Uh-huh.

20 A. But I don't remember exactly which
21 officer was which.

22 Q. Okay. What time did you leave the shift
23 that evening? Do you recall?

24 A. I do not.

25 Q. Well, if you're working the DUI Task

1 Force, ordinarily what would be your shift?

2 A. We changed it a lot of times. Sometimes
3 we come out earlier, and sometimes we come out later.

4 Q. Okay.

5 A. So I couldn't, I couldn't say for sure
6 that night in particular.

7 Q. All right. So after you conclude a
8 shift, do you go back to the jail...?

9 A. No.

10 Q. ...or just go home?

11 A. Normally just go home.

12 Q. Okay. Do you recall whether or not
13 during that shift that you went back to the jail?

14 A. No, Sir.

15 Q. You don't recall? Or you didn't go?

16 A. I don't think I ever went back to the
17 jail that night.

18 Q. Okay.

19 A. I left that scene and went to the
20 hospital with Deputy Minor because he had got hurt
21 during the altercation.

22 Q. Okay. He hurt his wrist?

23 A. Yes, Sir.

24 Q. All right. Why did you go to the
25 hospital with him?

1 A. Typically, because each supervisor has to
2 do the injury report,...

3 Q. Yeah.

4 A. ...so we normally go and check on him and
5 just sit with him and wait 'til they release him and
6 make sure he can drive and things like that, so...

7 Q. Okay. So as the sergeant or supervisor
8 of, you said Deputy...?

9 A. Minor.

10 Q. ...Minor...?

11 A. Yes, Sir.

12 Q. ...and of Deputy Crabtree,...?

13 A. Yes, Sir.

14 Q. ...were there other people that you were
15 supervising that evening?

16 A. I was not their direct supervisor that
17 evening. I think they -- maybe Dakota Williams was
18 on the task force. I'm not sure about Minor, if he
19 was on the DUI Task Force. I don't know if he was
20 working shift or working DUI Task Force that night.
21 So that night I was tasked with supervising the DUI
22 Task Force alone, not the patrol shift.

23 Q. Okay. So you say that you were the
24 supervisor of the DUI Task Force but not necessarily
25 the supervisor of these other officers?

1 patrol, I would've been in charge of the shift.

2 Q. Okay.

3 A. So they would've, they would've called
4 me.

5 Q. But who would you have reported to?

6 A. I would have reported at that time to
7 Lieutenant Matt Wasson.

8 Q. Okay. And what was his position?

9 A. He was a lieutenant. He was patrol
10 division commander.

11 Q. Okay. And he would have reported to the
12 chief deputy?

13 A. Yes.

14 Q. Okay. All right. Thank you. Did you
15 ever see any blood on Nathan Ling before they
16 transported him?

17 A. Not that I recall, Sir.

18 Q. Okay. Do you recall if he was conscious
19 when they transported him?

20 A. He was, because he was trying to kick the
21 back windows out.

22 Q. Okay. Did you have anything to do with
23 the young lady that was in the car, Kaitlin?

24 A. She was already in the car when I got
25 there.